

**SUPREME COURT MINUTES
WEDNESDAY, JULY 23, 2003
SAN FRANCISCO, CALIFORNIA**

S115823

B158966 Second Appellate District,
Division Two

REYNOLDS v. BEMENT

Petition for review granted

Votes: George, C.J., Kennard, Werdegar,
Chin, and Moreno, JJ.
Brown, J., was absent and did not participate.

S116081

A100194 First Appellate District,
Division Five

SIERRA CLUB v. CALIFORNIA COASTAL COMM

Petition for review granted.

Request for judicial notice granted.

Votes: George, C.J., Kennard, Chin,
Werdegar and Moreno, JJ.
Brown, J., was absent and did not participate.

S116445

B154544 Second Appellate District,
B160827 Division Three

PEOPLE v. SPRADLEY

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *Warrick v. Superior Court*, S115738 and *People v. Mosby*, S104862 (see Cal. Rules of Court, rule 28.2 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin and Moreno, JJ.
Brown, J., was absent and did not participate.

S116659

D039544 Fourth Appellate District,
Division One

PEOPLE v. BURROUGHS

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Arnold*, S106444 and *People v. Jeffrey*, S105978 (see Cal. Rules of Court, rule 28.2 (c)), or pending

further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, J., Baxter, J., Werdegar, J., Chin, J., Moreno, J.
Brown, J., was absent and did not participate.

S116795

C043803 Third Appellate District

DVORAK-REMIS v. W.C.A.B.

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *Honeywell v. W.C.A.B.*, S113201 (see Cal. Rules of Court, rule 28.2 (c), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Chin and Moreno, JJ.
Werdegar, J., was recused and did not participate.
Brown, J., was absent and did not participate.

S117491

A103104 First Appellate District,
Division Five

BROWN v. S.C. (PEOPLE)

Review granted/briefing deferred (rule 29.1)

Request for judicial notice granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Burris v. Superior Court*, S117491 (see Cal. Rules of Court, rule 28.2 (c), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, J., Baxter, J., Werdegar, J., Chin, J., Moreno, J.
Brown, J., was absent and did not participate.

S115699

C043716 Third Appellate District

AGUA CALIENTE BANK v. S.C. (F.P.P.C.)

Review granted; transferred to CA 3 to issue OSC

The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying mandate/prohibition and to issue an order directing respondent Sacramento County Superior Court to show cause why the relief sought in the petition should not be granted.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.
Brown, J., was absent and did not participate.

S113305

B156158 Second Appellate District,
Division Five

NORTHWEST AIRLINES v. ONTARIO AIRCRAFT
Dismissed as moot

Pursuant to rule 29.3(b), California Rules of Court, the above-entitled review is DISMISSED as moot in light of the settlement reached and cause is remanded to the Court of Appeal, Second Appellate District, Division Five.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.
Brown, J., was absent and did not participate.

S115518

F038772 Fifth Appellate District

PEOPLE v. HALL

Petition for review denied

Brown, J., was absent and did not participate.

S115645

B145698 Second Appellate District,
Division Seven

MORENO v. SANCHEZ

Petition for review & depublication request denied

Chin, J., is of the opinion the petition should be granted.
Brown, J., was absent and did not participate.

S115680

B137593 Second Appellate District,
Division Six

JONES v. FIRST AMERICAN TITLE INS. CO.
Petition for review denied

George, C.J., was recused and did not
participate.
Brown, J., was absent and did not participate.

S115696

A096725 First Appellate District,
A096726 Division Four
A096727
A096728

HIRSCH v. BANK OF AMERICA
Petitions for review denied

Baxter, J., and Chin, J., were recused and did
not participate.
Brown, J., was absent and did not participate.

S115771

B157502 Second Appellate District,
Division Five

PEOPLE v. MAYER
Petition for review denied

Brown, J., was absent and did not participate.

S115810

B161484 Second Appellate District,
Division Six

PEOPLE v. MAHESHWARI
Petition for review denied

Brown, J., was absent and did not participate.

S115893

B144282 Second Appellate District,
Division One

TATUNG COMPANY v. SHEN
Petition for review denied

Brown, J., was absent and did not participate.

S115911

H021534 Sixth Appellate District

PEOPLE v. WILSON
Petition for review and partial publication request
denied

Brown, J., was absent and did not participate.

S115997

C040733 Third Appellate District

PEOPLE v. NORRIS
Petition for review denied

Brown, J., was absent and did not participate.

S116037

H024191 Sixth Appellate District

LEVITAN v. APPLE COMPUTER INC.

Petition for review denied

Brown, J., was absent and did not participate.

S116058

C028033 Third Appellate District

PEOPLE v. SPENCE

Petition for review denied; CA opinion decertified

Brown, J., was absent and did not participate.

S116080

D041405 Fourth Appellate District,
Division One

BULLER (JAMES) ON H.C.

Petition for review denied

Kennard, J., and Werdegarr, J., are of the
opinion the petition should be granted.
Brown, J., was absent and did not participate

S116152

B166665 Second Appellate District,
Division Two

FIELDS (MONTRO) ON H.C.

Petition for review denied

Brown, J., was absent and did not participate.

S116180

F041012 Fifth Appellate District

ASSOCIATION OF IRRITATED RESIDENTS v.
COUNTY OF MADERA (DAIRY)

Petition for review & depublication request denied

Brown, J., was absent and did not participate.

S116225

A102458 First Appellate District,
Division Four

BUFORD (WILLIAM) ON H.C.

Petition for review denied

Brown, J., was absent and did not participate.

S116251

B162919 Second Appellate District,
Division Five

PEOPLE v. SHABAZZ

Petition for review denied

Brown, J., was absent and did not participate.

S116265

H023899 Sixth Appellate District

V. (AARON), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

S116271

D037637 Fourth Appellate District,
Division One

WHGF REAL ESTATE v. FIRST SAN DIEGO
PROPERTIES

Petition for review denied

Brown, J., was absent and did not participate.

S116348

C038799 Third Appellate District

PEOPLE v. SAVIDGE

Petition for review denied

Brown, J., was absent and did not participate.

S116353

D039146 Fourth Appellate District,
Division One

PEOPLE v. JONES

Petition for review denied

Brown, J., was absent and did not participate.

S116384

B154553 Second Appellate District,
Division Three

PEOPLE v. SUAREZ

Petition for review denied

without prejudice to filing a petition for writ of habeas corpus in the trial court alleging sufficient facts demonstrating that counsel was ineffective in failing to challenge the use of the 1996 assault convictions as 'strikes' under Penal Code section 667(b)-(i) on the grounds that their use amounted to a breach of the prior plea agreement and that the no-contest plea to those priors was unintelligent and uninformed. (See *In re Moser* (1993) 6 Cal.4th 342, 353-358; *Bousley v. United States* (1998) 523 U.S. 614, 618-619.)

Brown, J., was absent and did not participate.

S116423

B157862 Second Appellate District,
Division Seven

PEOPLE v. IVORY

Petition for review denied

Brown, J., was absent and did not participate.

S116442

B153465 Second Appellate District,
Division Six

PEOPLE v. GREEN

Petition for review denied

Kennard, J., is of the opinion the petition
should be granted.
Brown, J., was absent and did not participate.

S116504

B155958 Second Appellate District,
Division Five

PEOPLE v. TATUM

Petition for review denied

Brown, J., was absent and did not participate.

S116510

E030725 Fourth Appellate District,
Division Two

PEOPLE v. HELMUTH

Petition for review denied

Brown, J., was absent and did not participate.

S116534

B155066 Second Appellate District,
Division Seven

HILL v. COLUMBIA TRISTAR TELEVISION

Petition for review denied

Brown, J., was absent and did not participate.

S116537

E029105 Fourth Appellate District,
Division Two

PEOPLE v. BAHINIPATY

Petition for review denied

Brown, J., was absent and did not participate.

S116538

F040318 Fifth Appellate District

PEOPLE v. GONZALEZ

Petition for review denied

Brown, J., was absent and did not participate.

S116551

A094445 First Appellate District,
Division One

PEOPLE v. NELSON

Petition for review denied

Brown, J., was absent and did not participate.

S116561

B152028 Second Appellate District,
B155863 Division Three

PEOPLE v. JORDAN

Petition for review denied

Brown, J., was absent and did not participate.

S116573

B159182 Second Appellate District,
Division Two

SMITH v. U.C. REGENTS
Petition for review denied

Brown, J., was absent and did not participate.

S116594

B143686 Second Appellate District,
Division Two

BUSH v. MORGAN LEWIS & BOCKIUS
Petition for review denied

Brown, J., was absent and did not participate.

S116598

H022544 Sixth Appellate District

BLACK v. WAL-MART STORES INC.
Petition for review denied

Brown, J., was absent and did not participate.

S116603

D038343 Fourth Appellate District,
Division One

BENSON v. KILLINGSWORTH
Petition for review denied

Brown, J., was absent and did not participate.

S116612

B151350 Second Appellate District,
B152947 Division One

CLARK, MARRIAGE OF
Petition for review denied

Brown, J., was absent and did not participate.

S116643

A099173 First Appellate District,
Division Two

PEOPLE v. JOHNSON
Petition for review denied

Brown, J., was absent and did not participate.

S116654

C038924 Third Appellate District

PEOPLE v. VALDEZ
Petition for review denied

Brown, J., was absent and did not participate.

S116668

E032297 Fourth Appellate District,
Division Two

PEOPLE v. VALENZUELA
Petition for review denied

Brown, J., was absent and did not participate.

S116677

H025739 Sixth Appellate District

FOREMAN (PRENTICE) ON H.C.

Petition for review denied

Brown, J., was absent and did not participate.

S116678

E032537 Fourth Appellate District,
Division Two

M. (JUSTIN), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

S116694

C040310 Third Appellate District

PEOPLE v. ALVAREZ

Petition for review denied

Brown, J., was absent and did not participate.

S116698

A099381 First Appellate District,
Division One

PEOPLE v. PLEDGER

Petition for review denied

Brown, J., was absent and did not participate.

S116699

H024301 Sixth Appellate District

PEOPLE v. O'DELL

Petition for review denied

Brown, J., was absent and did not participate.

S116702

B167412 Second Appellate District,
Division One

ROSATI v. S.C. (PEOPLE)

Petition for review denied

Brown, J., was absent and did not participate.

S116716

E031785 Fourth Appellate District,
Division Two

PEOPLE v. BARNES

Petition for review denied

Brown, J., was absent and did not participate.

S116720

B154267 Second Appellate District,
Division Seven

PEOPLE v. ARANA

Petition for review denied

Brown, J., was absent and did not participate.

S116722

B154790 Second Appellate District,
Division Five

PEOPLE v. MCCRAW

Petition for review denied

Brown, J., was absent and did not participate.

S116723

B158212 Second Appellate District,
Division Eight

J. (JUSTINE), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

S116728

B156323 Second Appellate District,
Division Eight

PEOPLE v. BERNARD

Petition for review denied

Brown, J., was absent and did not participate.

S116732

G029053 Fourth Appellate District,
Division Three

PEOPLE v. SALGADO

Petition for review denied

Brown, J., was absent and did not participate.

S116739

D038997 Fourth Appellate District,
Division One

FEURZEIG v. INSURANCE CO. OF THE WEST

Petition for review denied

Brown, J., was absent and did not participate.

S116743

B156407 Second Appellate District,
Division Eight

PEOPLE v. BOLT

Petition for review denied

Brown, J., was absent and did not participate.

S116746

A102578 First Appellate District,
Division Two

HYPERTOUCH INC. v. S.C. (JOHNSON)

Petition for review denied

Brown, J., was absent and did not participate.

S116747

A098211 First Appellate District,
Division One

PEOPLE v. DOMINGUEZ-ORNELAS

Petition for review denied

Brown, J., was absent and did not participate.

S116748

F039716 Fifth Appellate District

PEOPLE v. BREWER

Petition for review denied

Brown, J., was absent and did not participate.

S116752

C041171 Third Appellate District

PEOPLE v. COPES

Petition for review denied

Brown, J., was absent and did not participate.

S116753

B153897 Second Appellate District,
Division Five

PEOPLE v. TOWNES

Petition for review denied

Brown, J., was absent and did not participate.

S116754

B159289 Second Appellate District,
Division Eight

PEOPLE v. THOMPSON

Petition for review denied

Brown, J., was absent and did not participate.

S116757

B159159 Second Appellate District,
Division Two

N. (HARRY), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

S116761

G032202 Fourth Appellate District,
Division Three

MASON v. S.C. (PEOPLE)

Petition for review denied

Brown, J., was absent and did not participate.

S116765

D039506 Fourth Appellate District,
Division One

PEOPLE v. JIMENEZ

Petition for review denied

Brown, J., was absent and did not participate.

S116767

C039475 Third Appellate District

PEOPLE v. BERGEY

Petition for review denied

Brown, J., was absent and did not participate.

S116774
C039442 Third Appellate District

PEOPLE v. WILLIAMS
Petition for review denied

Brown, J., was absent and did not participate.

S116775
E030348 Fourth Appellate District,
Division Two

PEOPLE v. BILBREW
Petition for review denied

Brown, J., was absent and did not participate.

S116779
B160398 Second Appellate District,
Division Five

PEOPLE v. MENDOZA
Petition for review denied

Brown, J., was absent and did not participate.

S116781
G030713 Fourth Appellate District,
Division Three

REED v. LINTZ
Petition for review denied

Brown, J., was absent and did not participate.

S116782
B159686 Second Appellate District,
Division Five

PEOPLE v. VALLE
Petition for review denied

Brown, J., was absent and did not participate.

S116783
C041768 Third Appellate District

PEOPLE v. RITCHIE
Petition for review denied

Brown, J., was absent and did not participate.

S116785
H023974 Sixth Appellate District

PEOPLE v. WASHINGTON
Petition for review denied

Brown, J., was absent and did not participate.

S116790
D038323 Fourth Appellate District,
D040300 Division One

ENCINITAS COUNTRY DAY SCHOOL INC. v.
CALIFORNIA COASTAL COMM. (SAN ELIJO LA
Petitions for review denied

Kennard, J., and Werdegarr, J., are of the

opinion the petitions should be granted.
Brown, J., was absent and did not participate.

S116799

B158564 Second Appellate District,
Division Five

PEOPLE v. COLEY

Petition for review denied

Brown, J., was absent and did not participate.

S116800

B158250 Second Appellate District,
Division Four

PEOPLE v. NIETO

Petition for review denied

Brown, J., was absent and did not participate.

S116806

C038965 Third Appellate District

PEOPLE v. ROGERS

Petition for review denied

Brown, J., was absent and did not participate.

S116807

B158698 Second Appellate District,
Division One

PEOPLE v. DOUTHARD

Petition for review denied

Brown, J., was absent and did not participate.

S116808

B156731 Second Appellate District,
Division Seven

PEOPLE v. JONES

Petition for review denied

Brown, J., was absent and did not participate.

S116809

H024057 Sixth Appellate District

PEOPLE v. LOZANO

Petition for review denied

Brown, J., was absent and did not participate.

S116810

C040610 Third Appellate District

PEOPLE v. MAGGARD

Petition for review denied

Brown, J., was absent and did not participate.

S116813

D039296 Fourth Appellate District,
Division One

PEOPLE v. WOLF

Petition for review denied

Brown, J., was absent and did not participate.

S116817

F039577 Fifth Appellate District

PEOPLE v. THOMAS

Petition for review denied

Brown, J., was absent and did not participate.

S116818

D039008 Fourth Appellate District,
Division One

GALANEK v. WISMAR

Petition for review denied

Brown, J., was absent and did not participate.

S116821

B160427 Second Appellate District,
Division Six

PEOPLE v. LEONCIO

Petition for review denied

Brown, J., was absent and did not participate.

S116827

F042908 Fifth Appellate District

SINGH (JEFFREY K.) ON H.C.

Petition for review denied

Brown, J., was absent and did not participate.

S116828

E032841 Fourth Appellate District,
Division Two

V. (MATHEW), IN RE

Petition for review denied

Brown, J., was absent and did not participate.

S116841

A099048 First Appellate District,
Division Two

PEOPLE v. LEWIS

Petition for review denied

Brown, J., was absent and did not participate.

S116844

C038853 Third Appellate District

PEOPLE v. BURNS

Petition for review denied

S116850

B167462 Second Appellate District,
Division Three

CMPB FRIENDS v. ALCOHOLIC BEV. CONTROL
Petition for review and application for stay denied

Brown, J., was absent and did not participate.

S116855

E033769 Fourth Appellate District,
Division Two

THURMOND v. S.C. (PEOPLE)
Petition for review denied

Brown, J., was absent and did not participate.

S116864

B158940 Second Appellate District,
Division Two

BROWN v. LINCOLN MEMORIAL PARK INC.
Petition for review denied

Brown, J., was absent and did not participate.

S116866

D040345 Fourth Appellate District,
Division One

PEOPLE v. SMITH
Petition for review denied

Brown, J., was absent and did not participate.

S116868

B166054 Second Appellate District,
Division Four

SERRANO (HENRY) ON H.C.
Petition for review denied

Brown, J., was absent and did not participate.

S116869

E031158 Fourth Appellate District,
Division Two

PEOPLE v. MARTIN
Petition for review denied

Brown, J., was absent and did not participate.

S116873

C039127 Third Appellate District

PEOPLE v. BROWNLEE
Petition for review denied

Brown, J., was absent and did not participate.

S116878

D042238 Fourth Appellate District,
Division One

TRIVEDI v. S.C. (PEOPLE)
Petition for review denied

Brown, J., was absent and did not participate.

S116886

B167611 Second Appellate District,
Division Seven

ESCOBAR v. S.C. (PEOPLE)
Petition for review denied

Brown, J., was absent and did not participate.

S116898

B161428 Second Appellate District,
Division Seven

PEOPLE v. TAYLOR
Petition for review denied

Brown, J., was absent and did not participate.

S116901

A098638 First Appellate District,
Division Five

PEOPLE v. BROWN
Petition for review denied

Brown, J., was absent and did not participate.

S116914

H023339 Sixth Appellate District

PEOPLE v. VASQUEZ
Petition for review denied

Brown, J., was absent and did not participate.

S116915

H024368 Sixth Appellate District

PEOPLE v. AGUILAR
Petition for review denied

Brown, J., was absent and did not participate.

S116949

F040851 Fifth Appellate District

I. (CHRIS), IN RE
Petition for review denied

Brown, J., was absent and did not participate.

S117295

B167646 Second Appellate District,
Division One

ROCHA v. S.C. (PEOPLE)
Petition for review denied

Brown, J., was absent and did not participate.

S117305

B167303 Second Appellate District,
Division Eight

NATIONAL UNION FIRE INSURANCE CO. v.
S.C. (SEARS ROEBUCK & CO.)
Petition for review and application for stay denied

Chin, J., was recused and did not participate.
Brown, J., was absent and did not participate.

S117322

E033913 Fourth Appellate District,
Division Two

NAVA (ELIAS) ON H.C.
Petition for review denied

Request for judicial notice granted.

Brown, J., was absent and did not participate.

S117534

B168262 Second Appellate District,
Division Eight

BROADNAX v. S.C. (PEOPLE)
Petition for review and application for stay denied

Brown, J., was absent and did not participate.

S113579

WILSON, ACCUSATION OF
Petition for writ of habeas corpus denied

Brown, J., was absent and did not participate.

S117031

OLSON-IOANE (SHELLY J.) ON H.C.
Petition for writ of habeas corpus & stay denied

Brown, J., was absent and did not participate.

S114478

B142818 Second Appellate District,
B147800 Division Two
B147801
B151005

BESCOS v. BANK OF AMERICA
Depublication request denied (case closed)

Chin, J., was recused and did not participate.
Brown, J., was absent and did not participate.

S114795

A100313 First Appellate District,
Division One

HEBERT v. TRAVELERS INDEMNITY
Publication request denied (case closed)

Brown, J., was absent and did not participate.

S116314

A097789 First Appellate District,
A098647 Division Two

OAKLAND, CITY OF v. RILEY & SONS
CONSTRUCTION
Publication request denied (case closed)

Brown, J., was absent and did not participate.

S116328

B159233 Second Appellate District,
Division One

TEC WORLDWIDE INC. v. DICKER
Time extended to grant or deny review

to September 9, 2003

S116368

B162346 Second Appellate District,
Division Two

GLADLEY (ROBERT LEE) ON H.C.
Time extended to grant or deny review

to August 29, 2003

S116406

G031937 Fourth Appellate District,
D036435 Division Three
G029176
G024970

YEPEZ (ALBERT) ON H.C.
Time extended to grant or deny review

to September 2, 2003

S116428

A099309 First Appellate District,
Division Five

SAN MARTIN v. ANTIOCH SCHOOLS FEDERAL
CREDIT UNION
Time extended to grant or deny review

to September 2, 2003

S116464

H023911 Sixth Appellate District

DESAIGOUDAR v. MEYERCORD
Time extended to grant or deny review

to September 4, 2003.

S116535

A102220 First Appellate District,
Division One

OAKLAND v. W.C.A.B. (GEDDINS)
Time extended to grant or deny review

to September 5, 2003.

S116545

B165905 Second Appellate District,
Division Five

STARLIGHT INTERNATIONAL v. S.C.
(KAMUELA CORP.)
Time extended to grant or deny review

to September 5, 2003.

S116557

A098765 First Appellate District,
A100843 Division Four

PEOPLE v. ZARAGOZA

Time extended to grant or deny review

to September 8, 2003

S116575

A095799 First Appellate District,
Division Two

PEOPLE v. HERNANDEZ

Time extended to grant or deny review

to September 8, 2003.

S116658

D039275 Fourth Appellate District,
Division One

SOUTHERN CALIFORNIA UNDERGROUND
CONTRACTORS v. CITY OF SAN DIEGO

Time extended to grant or deny review

to September 11, 2003

S116718

C043882 Third Appellate District

PEOPLE v. S.C. (PETTIT)

Time extended to grant or deny review

to September 11, 2003

S009038

PEOPLE v. TURNER (RICHARD)

Extension of time granted

to September 16, 2003 to file appellant's reply brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension granted based upon counsel Robert M. Sanger's representation that he anticipates filing the brief by 11-15-2003.

S026040

PEOPLE v. VIEIRA (RICHARD JOHN)

Extension of time granted

to September 26, 2003 to file reply brief. After that date, no further extension will be granted. Extension granted based upon counsel Richard Rubin's representation that he anticipates filing the brief by 9-26-2003.

S033360

PEOPLE v. WALLACE (KEONE)
Extension of time granted

to September 22, 2003 to file respondent's brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension granted based upon counsel Alison Elle Aleman's representation that she anticipates filing the brief by 11-21-2003.

S041630

PEOPLE v. JABLONSKI (PHILIP C.)
Extension of time granted

to September 19, 2003 to file respondent's brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to take all steps necessary to meet this schedule.

S043628

PEOPLE v. CARRINGTON (CELESTE)
Extension of time granted

to September 30, 2003 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S047867

PEOPLE v. VIRGIL (LESTER W.)
Extension of time granted

to September 16, 2003 to file appellant's opening brief. The court anticipates that after that date, only three further extensions totaling 180 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any

assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S056842

PEOPLE v. RICCARDI (JOHN A.)
Extension of time granted

to September 29, 2003 to file appellant's opening brief. After that date, no further extension will be granted. Extension granted based upon counsel Carla Johnson's representation that she anticipates filing the brief by 9-27-2003.

S065707

PEOPLE v. PAGE (TERRANCE C.)
Extension of time granted

to September 22, 2003 to file appellant's opening brief. After that date, only two further extensions totaling about 100 additional days will be granted. Extension granted based upon Deputy State P.D. William Hassler's representation that he anticipates filing the brief by 12-30-2003.

S066939

PEOPLE v. ALLEN & JOHNSON
Extension of time granted

to September 9, 2003 to file appellant ALLEN'S opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S070686

PEOPLE v. ROMERO (GERARDO)
Extension of time granted

to September 16, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling

120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S102580

STEWART (RICHARD) ON H.C.
Extension of time granted

to August 15, 2003 to file the reply to informal response. After that date, only two further extensions totaling about 60 additional days will be granted. Extension granted based upon counsel Melissa Hill's representation that she anticipates filing the document by 10-14-2003.

S105909

B146368 Second Appellate District,
Division Two

HAGBERG v. CALIFORNIA FEDERAL BANK
Extension of time granted

to August 18, 2003 for appellant to file response to the amicus curiae brief of Calif Bankers Assn. and American Bankers Assn.

S109468

TOSCANO (ROSS) ON H.C.
Extension of time granted

to August 14, 2003 for petitioner to file the reply to the informal response.

S113201

B156438 Second Appellate District,
Division Three

HONEYWELL v. W.C.A.B. (WAGNER)
Extension of time granted

for respondent to file the response to the amicus curiae briefs (Cal Workers' Comp Inst. and Cal. Workers Comp Defense Attys Assn) to August 22, 2003

S114347

ARIAS (PEDRO) ON H.C.
Extension of time granted

to August 20, 2003 to file informal response.
The court anticipates that after that date, only
four further extensions totaling about 120
additional days will be granted.

S114551

STEELE (RAYMOND) ON H.C.
Extension of time granted

to August 15, 2003 to file informal response.
After that date, no further extension is
contemplated. Extension granted based upon
Deputy Attorney General Eric Christoffersen's
representation that he anticipates filing the
document by 8-15-2003.

S116021

ZAMBRANO (ENRIQUE) ON H.C.
Extension of time granted

to August 20, 2003 to file informal response.
After that date, only two further extensions
totaling about 60 additional days will be
granted. Extension granted based upon
Deputy AG Martin Kaye's representation that
he anticipates filing the document by 10-20-
2003.

S116759

DOOLIN v. S.C. (PEOPLE)
Extension of time granted

to August 22, 2003 to file informal response.
After that date, no further extension of time is
contemplated. Extension granted based upon
Deputy AG Lloyd Carter's representation that
he anticipates filing the document by 8-22-
2003.

S116812

MATTSON (MICHAEL D.) ON H.C.
Extension of time granted

to August 20, 2003 to file informal response.
After that date, only one further extension

totaling about 30 additional days is contemplated. Extension granted based upon Deputy AG Russell Lehman's representation that he anticipates filing the document by 9-19-2003.

S114375

A096083 First Appellate District,
Division Five

PEOPLE v. BRAXTON
Order filed

Appellant's "Motion to Dismiss Review as Improvidently Granted" filed on June 20, 2003, is denied.

Brown, J., was absent and did not participate.

S112147

OBRIEN, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112285

WEISS, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112286

TROCHEZ, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112287

CASTILLO, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112352

MC GEE, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112494

NOVOBILSKY, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112538

MADISON, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112545

BARRISS, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112586

BERG, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112642

POWELL, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112714

MONAGHAN, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112723

BOGGS, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112746

HARRISON, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

SAN FRANCISCO

JULY 23, 2003

1183

S112747

EDMONDS, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112759

WILSON, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112805

SANCHEZ, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112831

BORTNICK, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112833

LENOX, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S112890

LUCKETT, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113139

NEWMAN, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113185

LOPEZ, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113186

CARLOSS, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113200

NEWMAN, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113232

MARTIN, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113324

AYESTARAN, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113591

SMITH, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113603

SMITH, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S113634

HOLMES, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S116751

K&L SUPPLY COMPANY, ACCUSATION OF
Petition denied (accusation)

Brown, J., was absent and did not participate.

S114035

PEAVEY ON DISCIPLINE

Petition for writ of review denied; recommended discipline imposed

It is ordered that **William Benson Peavey, Jr., State Bar No. 57985**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for two years: and until he makes restitution to George and Myrtle Henson (or the Client Security Fund, if appropriate) in the amount of \$124,188.33, pursuant to the judgment in *Henson v. Peavey*, San Joaquin Superior Court, case no. CV005180, plus 10 percent interest per annum from the date of judgment until paid, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel unless, on Peavey's motion, he submits satisfactory proof to the State Bar Court that the judgment has been modified; and until he makes restitution to Kevin Chamberlain (or the Client Security Fund, if appropriate) in the amount of \$43,794.89, pursuant to the judgment in *Chamberlain v. Peavey*, San Francisco Superior Court, case no. 314414, plus 10 percent interest per annum from the date of judgment until paid, and furnishes satisfactory proof thereof to the Probation Unit; and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice, and present learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Peavey is further ordered to comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed on December 13, 2002. Peavey is also ordered to take and pass the Multistate Professional Responsibility Examination and provide proof of passage to the Probation Unit during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d

878, 891, fn. 8.) Peavey is further ordered to comply with rule 955 of the California Rules of Court and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

Brown, J., was absent and did not participate.